

HOUSE BILL 1300

E2, E4

11r2875
CF SB 636

By: **Delegates Hucker, Alston, Anderson, Arora, Carter, Conaway, Dumais, K. Kelly, Love, Luedtke, Oaks, Ross, Vaughn, and Walker**
Introduced and read first time: February 28, 2011
Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Probation – Probation Work Readiness Pilot Program**

3 FOR the purpose of establishing the Probation Work Readiness Pilot Program;
4 limiting the application of this Act to certain counties; specifying the purpose of
5 and requirements for the Program; requiring the Department of Public Safety
6 and Correctional Services, in consultation with the Chief Judge of the Court of
7 Appeals and the circuit administrative judges of certain judicial circuits, to
8 develop certain regulations; authorizing a court to order a defendant to
9 participate in the Program as a condition of probation; providing that the
10 violation of a court order to participate in the Program is grounds for violation
11 of probation; requiring the Chief Judge of the Court of Appeals, the circuit
12 administrative judges of certain judicial circuits, and the Department to submit
13 a certain report on the Program; making the Program subject to the availability
14 of certain funds; providing that the abrogation of this Act does not terminate the
15 obligation of a defendant to comply with an order entered by a court under this
16 Act on or before a certain date; providing for the termination of this Act; and
17 generally relating to the Probation Work Readiness Pilot Program.

18 BY adding to

19 Article – Courts and Judicial Proceedings
20 Section 3–1801 through 3–1803 to be under the new subtitle “Subtitle 18.
21 Probation Work Readiness Pilot Program”
22 Annotated Code of Maryland
23 (2006 Replacement Volume and 2010 Supplement)

24 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
25 MARYLAND, That the Laws of Maryland read as follows:

26 **Article – Courts and Judicial Proceedings**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



1 **SUBTITLE 18. PROBATION WORK READINESS PILOT PROGRAM.**

2 **3-1801.**

3 **THIS SUBTITLE APPLIES ONLY:**

4 **(1) IN A COUNTY IN WHICH THE CHIEF JUDGE OF THE COURT OF**
5 **APPEALS HAS ESTABLISHED A PROBATION WORK READINESS PILOT PROGRAM**
6 **UNDER § 3-1802 OF THIS SUBTITLE; AND**

7 **(2) TO THE EXTENT THAT FUNDS ARE PROVIDED IN AN ANNUAL**
8 **STATE BUDGET FOR A PROBATION WORK READINESS PILOT PROGRAM.**

9 **3-1802.**

10 **(A) THE CHIEF JUDGE OF THE COURT OF APPEALS SHALL ESTABLISH**
11 **A PROBATION WORK READINESS PILOT PROGRAM IN THE CIRCUIT COURTS OF**
12 **TWO COUNTIES IN THE STATE.**

13 **(B) THE PURPOSE OF THE PROGRAM IS TO PROVIDE DEDICATED**
14 **SERVICES FOR INDIVIDUALS PLACED ON PROBATION TO OBTAIN AND RETAIN**
15 **EMPLOYMENT.**

16 **(C) THE PROGRAM SHALL ENABLE THE DEPARTMENT OF PUBLIC**
17 **SAFETY AND CORRECTIONAL SERVICES TO WORK WITH EMPLOYMENT**
18 **TRAINING AND PLACEMENT SERVICE PROVIDERS TO:**

19 **(1) PROVIDE DEDICATED SERVICES FOR INDIVIDUALS PLACED**
20 **ON PROBATION TO OBTAIN AND RETAIN EMPLOYMENT;**

21 **(2) SPECIALIZE IN THE EMPLOYMENT NEEDS OF INDIVIDUALS ON**
22 **PROBATION;**

23 **(3) ACTIVELY RECRUIT EMPLOYERS WHO ARE RECEPTIVE TO**
24 **EMPLOYING INDIVIDUALS ON PROBATION;**

25 **(4) PROVIDE JOB TRAINING TO PARTICIPANTS BASED ON**
26 **IDENTIFIED NEEDS;**

27 **(5) IMPLEMENT A DATA MANAGEMENT SYSTEM TO PROVIDE**
28 **DETAILED INFORMATION ON THE OUTCOMES OF PARTICIPANTS IN THE**
29 **PROGRAM; AND**

1 **(6) ACCEPT ALL DEFENDANTS REFERRED TO THE PROGRAM BY A**
2 **CIRCUIT COURT.**

3 **(D) THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL**
4 **SERVICES, IN CONSULTATION WITH THE CHIEF JUDGE OF THE COURT OF**
5 **APPEALS AND THE CIRCUIT ADMINISTRATIVE JUDGES FOR THE JUDICIAL**
6 **CIRCUITS IN WHICH THE PROGRAM WILL BE ESTABLISHED, SHALL DEVELOP**
7 **REGULATIONS FOR THE PROGRAM, INCLUDING:**

8 **(1) CRITERIA FOR THE SELECTION OF EMPLOYMENT TRAINING**
9 **AND PLACEMENT SERVICE PROVIDERS UNDER THE PROGRAM;**

10 **(2) PROVISIONS FOR PAYING EMPLOYMENT TRAINING AND**
11 **PLACEMENT SERVICE PROVIDERS ON A PERFORMANCE BASIS AS DETERMINED**
12 **BY THE PLACEMENT AND CONTINUING PERFORMANCE OF INDIVIDUALS IN THE**
13 **PROGRAM;**

14 **(3) LIMITS ON PARTICIPATION IN THE PROGRAM; AND**

15 **(4) PERFORMANCE GOALS FOR THE PROGRAM.**

16 **3-1803.**

17 **(A) A COURT MAY ORDER A DEFENDANT TO PARTICIPATE IN THE**
18 **PROBATION WORK READINESS PILOT PROGRAM AS A CONDITION OF THE**
19 **DEFENDANT'S PROBATION.**

20 **(B) A DEFENDANT WHO IS ORDERED BY THE COURT TO PARTICIPATE IN**
21 **THE PROGRAM MAY NOT FAIL TO DO SO WITHOUT LAWFUL EXCUSE.**

22 **(C) A VIOLATION OF A COURT ORDER TO PARTICIPATE IN THE**
23 **PROGRAM IS A VIOLATION OF PROBATION.**

24 SECTION 2. AND BE IT FURTHER ENACTED, That, on or before October 1,
25 2013, the Chief Judge of the Court of Appeals, the circuit administrative judges for the
26 judicial circuits in which the Probation Work Readiness Pilot Program is established
27 under this Act, and the Department of Public Safety and Correctional Services jointly
28 shall submit a report to the General Assembly, in accordance with § 2-1246 of the
29 State Government Article, that evaluates the Probation Work Readiness Pilot
30 Program established by this Act.

31 SECTION 3. AND BE IT FURTHER ENACTED, That the abrogation of this
32 Act, as provided in Section 4 of this Act, may not be interpreted or applied to
33 terminate the obligation of a defendant to comply with any order entered by a court
34 under this Act on or before June 30, 2013.

1 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 July 1, 2011. It shall remain effective for a period of 2 years and, at the end of June 30,
3 2013, with no further action required by the General Assembly, this Act shall be
4 abrogated and of no further force and effect.